



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/823,829
Applicant : Evans et al.
Filed : April 14, 2004
Art Unit : 3714
Examiner : Aileen Chyn

Confirmation No. 5642

Docket No. : CHORUS-P007-01
Customer No. : 27268

DECLARATION OF KEVIN R. ERDMAN

I, Kevin R Erdman of Baker & Daniels LLP, declare as follows:

1. I am a partner at the law firm of Baker & Daniels LLP, and have personal knowledge of my firm's representation of Chorus, Inc. in the above identified patent application.
2. I have reviewed our firms's files regarding my firm's representation of Chorus, Inc. in this patent application.
3. On February 18, 2003, I received an e-mail from Mike Evans of Chorus, Inc., forwarding disclosure materials on a human resource invetion that we had spoken about earlier. Our firm was authorised to prepare and file a provisional patent appliction on the patentable subject matter identified in the provisional application. A copy of the e-mail and the attached electronic documents are appended as Exhibit A.
4. From February 18, 2003, I and other attorneys at Baker & Daniels LLP worked on developing a draft patent application, including interviewing, corresponding and otherwise interacting with individuals at Chorus, Inc. to file a provisional patent application on April 14, 2003.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And further, I sayeth not.



KEVIN R. ERDMAN

Date: 5 Oct 2006

BEST AVAILABLE COPY

Erdman, Kevin R.

From: Mike Evans <mevans@chorusinc.com> [mevans@chorusinc.com]
Sent: Tuesday, February 18, 2003 3:05 PM
To: KERDMAN@bakerd.com; kerdman@bakerd.com
Cc: DBOEGLIN@bakerd.com; dlboegli@bakerd.com; dsnively@chorusinc.com
Subject: Dan Boeglin & Kevin Urkman_2_10_03.ppt

Kevin,

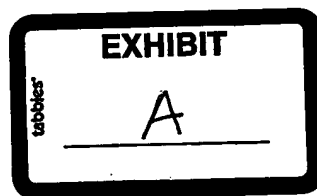
Thank you for the Intellectual Property Protection for Hallmarks of Excellence(tm) letter you sent that I received today. Per your request, attached is a copy of the Power Point presentation we presented in our meeting with you.

In your letter, you also requested any additional disclosure materials on the potentially patentable aspects of the Hallmarks of Excellence. As a point of reference, the following are the items we left in your possession as part of our meeting:

- n Hallmarks – Monte Nagy (IMMI Marketing Manager Candidate)
- n Hallmarks of Excellence in Leadership Product Page
- n Hallmarks User Guide
- n Hallmarks Sample PEP
- n 100day Fast Start Strategy – Kevin Klee
- n Hallmarks of Excellence in Education Leadership Product Development Matrix and Habit of Excellence

Is there any additional information we can provide to you? There may be some additional material that may be of help but we're not sure what. Possibly the information that we provide to the Pan developers when they actually build the technical aspect of a Hallmark on their system? Let me know and I can have Dr. Snively prepare that.

Mike



Kevin,

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Mike

Part.003

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